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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Post Office as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on

Date: 1/25/01

Name: L. O'Neill

Signature: L. O'Neill  
Clifford Chance Rogers & Wells LLP

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Docket No. 6208-9

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: David M. Modest

Filed: 10/4/2000

Group Art Unit: 2161

Serial No: 09/678,902

Examiner:

For: GEOGRAPHIC MARKET INDICATOR

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Commissioner for Patents  
**BOX: MISSING PARTS**  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts (copy enclosed) dated December 22, 2000 received for the above identified application, enclosed please find the following:

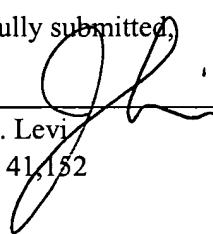
1. ☒ Executed Declaration and Power of Attorney  
☐ Copy of Executed Declaration and Power of attorney from a prior application
2. ☐ A petition for Extension of Time

Please make the Declaration and Power of Attorney of record in the above-identified application.

The Commissioner is hereby authorized to charge the late submission surcharge of \$130.00 (*\$65 for small entity*) and any additional fee, or credit any overpayment to Deposit Account No. 50-0521. A duplicate copy of this transmittal is enclosed.

Date: January 25, 2001

Respectfully submitted,

  
\_\_\_\_\_  
Joseph E. Levi  
Reg. No. 41,152

Clifford Chance Rogers & Wells LLP  
200 Park Avenue  
New York, NY 10166-0153  
Telephone: (212) 878-8564



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/678,902	10/04/2000	David M. Modest	6208-9

Clifford Chance Rogers & Wells LLP  
200 Park Avenue  
New York, NY 10166



FORMALITIES LETTER



\*OC000000005635966\*

Date Mailed: 12/22/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

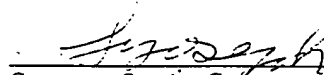
FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice MUST be returned with the reply.*

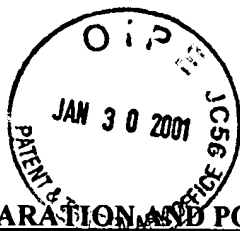
  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

02/09/2001 ETULU1 00000005 500521 09678902

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Docket No. 6208-9

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are, as stated below next to my name,

David M. Modest

2211 Broadway - Apt. #6DN

New York, New York 10024

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**GEOGRAPHIC MARKET INDICATOR**

the specification of which (check one) is:

☐ attached hereto

☒ was filed on October 4, 2000

as Application Serial No. 09/678,902

and amended on \_\_\_\_\_ (if applicable).

☐ was described and claimed in PCT Application No. \_\_\_\_\_

filed on \_\_\_\_\_ and amended under Article 19 on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulation, § 1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint:

John E. Kidd	Reg. No. 19,916
Victor Siber	Reg. No. 25,149
Margaret B. Kelley	Reg. No. 29,181
Philip E. Roux	Reg. No. 31,295
Michael J. Pantuliano	Reg. No. 18,971
Joseph P. Kincart	Reg. No. 43,716
James V. Mahon	Reg. No. 41,966
Joseph Levi	Reg. No. 41,152
Victor J. Geraci	Reg. No. 38,157
C. Joseph Laughon, II	Reg. No. 31,389
Leora Ben-Ami	Reg. No. 32,455
Robert D. Schaffer	Reg. No. 33,775

Michael M. O'Shea	Reg. No. 35,631
Joel N. Bock	Reg. No. 36,456
Gerard P. Norton	Reg. No. 36,621
John T. Johnson	Reg. No. 37,363
Frank C. Cimino	Reg. No. 39,945
Nada Jain	Reg. No. 41,431
Mitchell S. Feller	Reg. No. 42,530
David F. Ries	Reg. No. 43,046
Anne M. Coughlin	Reg. No. 43,564
David S. Figatner	Reg. No. 44,106
Steven J. Lever	Reg. No. 46,871

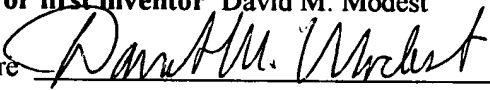
all of the firm of Clifford Chance Rogers & Wells LLP, 200 Park Avenue, New York, New York 10166-0153, my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all communications to:

Joseph Levi, Esq.  
Clifford Chance Clifford Chance Rogers & Wells LLP  
200 Park Avenue, New York, NY 10016  
(212) 878-8564

Wherefore I request that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

**Full name of sole or first inventor** David M. Modest

Inventor's signature  Date: 1/22/01

Residence 2211 Broadway #6dn New York, NY 10024-6200

Citizenship U.S.A.

Post Office Address SAME